1	CITY OF SANTA FE, NEW MEXICO
2	RESOLUTION NO. 2012-49
3	INTRODUCED BY:
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5	Councilor Ives
6	Councilor Bushee
	Councilor Wurzburger
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10	A RESOLUTION
11	RELATING TO THE INSPECTION OF PUBLIC RECORDS ACT; AND ESTABLISHING A
12	FULL-TIME, DEDICATED POSITION IN THE CITY ATTORNEY'S OFFICE TO BE
13	KNOWN AS THE "CUSTODIAN" OF PUBLIC RECORDS.
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15	WHEREAS, the Inspection of Public Records Act ("IPRA"), Chapter 14, Article 2 NMSA
16	1978, provides for public access to information about governmental affairs; and
17	WHEREAS, IPRA requires public access to all public records, with certain delineated
18	exceptions; and
19	WHEREAS, NMSA to §14-2-7 provides that every public body shall designate at least one
20	custodian of public records; and
21	WHEREAS, IPRA defines such a custodian as "any person responsible for the maintenance,
22	care or keeping of a public body's public records, regardless of whether the records are in that
23	person's actual physical custody and control"; and
24	WHEREAS, currently, the City Clerk acts de facto as the custodians of public records for the
25	City of Santa Fe, receives all IPRA requests and forwards such requests to the department in custody

1	and control of the records in order to assemble same, and thereafter, the City Attorney reviews the
2	records provided in response to such IPRA requests and determines that the records provided are
3	responsive to such requests and which fall under the delineated exceptions, and in turn directs the
4	City Clerk to release such records; and
5	WHEREAS, in the interest of streamlining the IPRA process for the public and ensuring the
6	accurate and timely handling of such requests, the Governing Body desires that a "custodian" of
7	public records position be established in the City Attorney's Office.
8	NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
9	CITY OF SANTA FE that in an effort to continue the Governing Body's on-going commitment for
10	the City of Santa Fe to be open, transparent and accessible to the public:
11	1. The Governing Body hereby establishes a full-time, dedicated position of "custodian"
12	of public records in the City Attorney's Office for prompt and complete disclosure of public records.
13	2. The "custodian" will be a trained professional who specializes in the disclosure of
14	public records.
15	3. In accordance with IPRA, the "custodian" of public records shall:
16	A. Act as the City of Santa Fe's custodian of public records
17	for purposes of IPRA and ensure compliance therewith;
18	B. Coordinate with the various Departments of the City of
19	Santa Fe the identification of public records responsive to requests made
20	under IPRA;
21	C. Receive and timely respond to requests to inspect public
22	records;
23	D. Provide proper and reasonable opportunities for the
24	inspection of public records;
25	E. Provide reasonable facilities to make or furnish copies of

1	public records during normal business hours; and
2	F. Post in a conspicuous location in the City Manager's
3	Office a notice describing:
4	(1) The right of a person to inspect the City of Santa
5	Fe's records;
6	(2) Procedures for requesting inspection of public
7	records;
8	(3) Procedures for requesting copies of public
9	records;
10	(4) Reasonable fees for copying public records; and
11	(5) The responsibility of the City of Santa Fe to
12	make available public records for inspection.
13	G. Provide to the City Council a quarterly report of IPRA requests
14	received by the City of Santa Fe and the status of the City's responses thereto.
15	PASSED, APPROVED, and ADOPTED this 9 <sup>th</sup> day of May, 2012.
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17	Dades
18	DAVID COSS, MAYOR
19	ATTEST:
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22	YOLANDA Y. VIGIL, CITY CLERK
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1	APPROVED AS TO FORM:
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3	TENO
4	GENO ZAMORA, CITY ATTORNEY
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M/Melissa/Resolutions 2012/2012-49 IPRA Custodian

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